

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL MEETING

NOVEMBER 17, 2014

Council Chambers

7:00 p.m.

1. CALL TO ORDER

Mayor Gaylord called the meeting to order at 7:10 p.m.

2. ROLL CALL

Present: Councilmembers Beattie, Caron, Miller, and Mayor Gaylord

Absent: Fulkerson

Also Present: City Manager Luger, City Attorney Staunton, Public Works Superintendent Wisdorf, City Planner Smith, and City Clerk Johnson

3. APPROVAL OF MINUTES

(a) City Council Work Session Meeting of November 3, 2014

Beattie moved, Caron seconded, to approve the Minutes of the City Council Work Session Meeting of November 3, 2014. Motion carried 4/0.

(b) Regular City Council Meeting of November 3, 2014

Caron moved, Beattie, to approve the Minutes of the Regular City Council Meeting of November 3, 2014. Motion carried 4/0.

(c) Canvassing Board Meeting of November 12, 2014

Caron moved, Beattie seconded, to approve the Minutes of the Canvassing Board Meeting of November 12, 2014. Motion carried 4/0.

4. OPEN FORUM

Andrew Punch, 561 Third Street, addressed the Council.

5. CITY COUNCIL COMMUNICATIONS, QUESTIONS, and REPORTS

(a) 2014 Met Council Sanitary Sewer Forcemain Project Update

Wisdorf gave an update on the 2014 Met Council Sanitary Sewer Forcemain Project.

6. AGENDA APPROVAL

(a) Meeting Agenda

Luger requested that the Special Event Permit for Mt. Calvary Lutheran Church, Advent Festival-Hayride, November 30, 2014, be added as Item 6(b)6 on the Consent Agenda.

Beattie moved, Miller seconded, to approve the Meeting Agenda, as amended. Motion carried 4/0.

(b) Consent Agenda

Beattie moved, Miller, to approve the Consent Agenda, as amended. Motion carried 4/0.

1. Approve Verified Claims - Approve for Payment Manual Checks 80206-80266 and EFT Checks 1000E-1014E

Action - Approved for Payment Manual Checks 80206-80266 and EFT Checks 1000E-1014E

2. October 2014 Financial Reports

Action - Accepted for filing.

3. October 2014 Building Permit Report

Action - Accepted for filing.

4. 2014 Audit Proposal - Abdo, Eick & Meyers, LLP

Action - Approved the Letter of Engagement with Abdo, Eick & Meyers, LLP, to perform the City's 2014 audit per its proposal, and authorized the City Manager to execute the Letter of Engagement.

5. Pay Voucher No. 2, Water Treatment Plant Upgrades

Action - Approved for payment.

6. Permit(s) for Approval

- 10K XC Ski from Excelsior Bay to Big Island and Back, Excelsior Brewing Company, February 7, 2015
- Advent Festival-Hayride, Mount Calvary Lutheran Church, November 30, 2014

Action - Approved permits as listed.

7. Food Trucks - *Item Continued to the December 15, 2014 City Council meeting.*

Action - Continued to the December 15, 2014 City Council Meeting

6. AGENDA APPROVAL

(b) Consent Agenda - *Continued*

8. Park and Recreation Commission Minutes of October 14, 2014
Action - Accepted for filing.
9. Planning Commission Minutes of February 5, 2014
Action - Accepted for filing.
10. Planning Commission Minutes of October 7, 2014
Action - Accepted for filing.
11. Heritage Preservation Commission Minutes of September 16, 2014
Action - Accepted for filing.
12. Heritage Preservation Commission Minutes of October 2, 2014
Action - Accepted for filing.

7. PUBLIC HEARINGS

(a) Parking of Recreational Vehicles and Boats on Single Family Property

Mayor Gaylord opened the Public Hearing at 7:18 p.m.

Dave Lawrence, 825 Hidden Lane, addressed the Council.

Mike Filippi, 521 Linden Street, addressed the Council.

Mayor Gaylord closed the Public Hearing at 7:46 p.m.

Caron moved, Beattie seconded, to continue this item to the January 19, 2015 Work Session. Motion carried 4/0.

8. PETITIONS, REQUESTS and COMMUNICATIONS

(a) Concerts in the Park, Update from Mike Filippi

Mike Filippi, 521 Linden Street, addressed the Council.

The Council agreed that Mr. Filippi should continue with the Concerts in the Park series as planned.

9. ORDINANCES AND RESOLUTIONS

- (a) Second Reading of Ordinance No. 518 - An Ordinance Amending Chapter 4, Article II, Division 2, Section 4-63 of the Excelsior City Code, Amending the Number of Liquor Licenses Available

Beattie moved, Miller seconded, to adopt Ordinance No. 518 - An Ordinance Amending Chapter 4, Article II, Division 2, Section 4-63 of the Excelsior City Code, Amending the Number of Liquor Licenses Available, as presented. Motion carried 4/0.

- (b) First Reading of Ordinance No. 519 Adding an E-Cigarette Moratorium to the Excelsior City Code

Beattie moved, Miller seconded, to waive the first reading and adopt Ordinance No. 519 - An Interim Ordinance Adopting a Moratorium Temporarily Prohibiting E-Cigarette Retail Shops, Smoking Lounges, and Vapor Lounges, and appoint Councilmember Caron to work with staff on recommendations to bring back to the Council as soon as possible. Motion carried 4/0.

10. REPORTS of OFFICERS, BOARDS, and COMMITTEES

- (a) Park and Recreation Commission

- 1) Special Event Policy

The Council discussed and provided direction to staff on the Special Event Policy. No motion was made on this item.

- 2) TCF Gazebo

The Council directed the Park and Recreation Commission to discuss whether the gazebo should be replaced with benches.

11. UNFINISHED BUSINESS

- (a) Excelsior Hotel

Beattie moved, Miller seconded, to extend the time for the Applicant to complete the final plan application to December 1, 2014. Motion carried 4/0.

- (b) Sales Tax Referendum Question

Beattie moved, Caron seconded, to authorize Mayor Gaylord to send a letter to the legislators and directed Mayor Gaylord and Miller to continue discussions with the legislators on behalf of the City. Motion carried 4/0.

11. UNFINISHED BUSINESS

(c) Southshore Center

The Council directed Mayor Gaylord to discuss the Southshore Center with the Mayors of the other cities.

(d) Special Moratorium Commission

Beattie moved, Caron seconded, to substitute Beth Duyvejonck for Dan Wallace on the Special Moratorium Commission. Motion carried 4/0.

12. NEW BUSINESS

(a) Potential Changes to the Mayoral Terms and City Council Bylaws

The Council continued this item to a future meeting when all Councilmembers are present.

(b) Lake Minnetonka Conservation District

Caron moved, Beattie seconded, to reappoint Jeff Morris to a three-year term on the Lake Minnetonka Conservation District (LMCD) Board of Director's as the City's representative, effective from February 1, 2015 to January 31, 2018. Motion carried 4/0.

Beattie moved, Miller seconded, to appoint Councilmember Caron as Interim Substitute Representative to the LMCD Board of Director's until Mr. Morris resumes his seat after April 30, 2015. Motion carried 4/0.

13. ADJOURNMENT

Beattie moved, Miller seconded, to adjourn at 9:18 p.m. Motion carried 4/0.

Respectfully submitted,

Shirley Johnson
City Clerk